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Item 12: Preservation of the Marine Environment

Working Paper

The following is suggested as a tentative draft provision on the maintenance of the natural state of the marine environment:

1. States shall not undertake or permit activities which may cause significant and extensive harmful changes in the natural state of the marine environment by the deliberate introduction therein or the transfer from one area to another thereof of species alien or new thereto. If the effects of any proposed activity could give rise to uncertainty in this respect, the State concerned shall in any event consult with interested States and appropriate international organizations prior to undertaking or permitting any such activity.

States shall take appropriate measures to guard against the accidental introduction or transfer of alien or new species, and to restore the previously existing state of the marine environment in cases where a disturbance has occurred due to any introduction or transfer of alien or new species.

2. This article shall be without prejudice to the application of the provisions of this Convention relating to the prevention of the pollution of the marine environment.

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